(281)

UNITED NATIONS

S

Security Council

Distr.
GENERAL

S/24120
19 June 1992

ORIGINAL: ENGLISH

LETTER DATED 19 JUNE 1992 FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF SLOVENIA ADDRESSED TO THE SECRETARY-GENERAL

I have the honour of conveying to you the enclosed note verbale of the Ministry for Foreign Affairs of the Republic of Slovenia containing the reply of the Government of the Republic of Slovenia to your Note SCPC/1/92(4) concerning the implementation of United Nations Security Council resolution 757 (1992).

I would appreciate it if this letter and its enclosure were distributed as a circular document of the Security Council.

(Signed) Dimitrij RUPEL
Minister for Foreign Affairs

92-26317 3244h (E) 190692

210692

/...

Annex

Note verbale

The Ministry for Foreign Affairs of the Republic of Slovenia presents its compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's note SCPC/1/92 (4) of 3 June 1992, has the honour to inform him of the measures taken by the Government of the Republic of Slovenia with a view to implementing Security Council resolution 757 (1992) of 30 May 1992.

I

At a session held on 1 June 1992, the Government of the Republic of Slovenia supported in its entirety resolution of the Security Council No. 757 (1992) and adopted measures that were implemented as from 31 May 1992 in all their provisions. At the same time, it instructed all State institutions to take all the necessary steps in the field of their competence consistently to implement the resolution. The Government published the text of the resolution in the Official Gazette of the Republic of Slovenia No. 28, with a view to its direct implementation in accordance with Article 48 of the Charter of the United Nations. For more immediate implementation of the provisions of points 3 to 14 of the resolution, it additionally published an instruction.

II

The measures, which the Republic of Slovenia began to implement immediately and consistently, also have a negative effect on the Slovene economy. This is mainly direct damage caused by the acceptance of the measures in cases in which goods already paid for prior to the resolution have not been delivered to the Republic of Slovenia, or cases in which goods were delivered to Serbia and Montenegro prior to the resolution but have not been paid for. Because of the adopted measures, there is also no possibility of obtaining goods from Serbia which are owned by Slovene companies and which have been temporarily exported for completion or modification in Serbia or Montenegro.

The break in trade will cause disruptions in production in companies which have long-term economic cooperation with Serbian companies since, in the short term, these companies cannot reorient towards new buyers or suppliers. According to current information, disruptions will be caused primarily in the production of electrical machinery and equipment, the production of chemical products, the production of traffic infrastructure elements, the production of cellulose and paper, production of textile products and the production of food products. We have been informed of such problems by the following companies: Elektromaterial Lendava, Varstroj, Gorenje Elektronika, Iskra Elektrozveze, Inotehna Ljubljana, TIK Kobarid, SKIP Ljubljana, ABC Pomurka, Metalka

Ljubljana, AERO Celje, ZA-UTO Ljubljana, Tovarna vozil in toplotne tehnike Boris Kidrič Maribor, TAM Maribor, Popco Velenje in Radeče Papir.

Additional disruption to the economy will also be caused because of the freezing of business with the electric power supply industry of Serbia and the interruption in the supply of electric power from the Serbian electric power supply system.

Consistent implementation of the resolution will have an essentially negative effect on the Slovene economy. All the negative effects or damage have not yet been considered or evaluated. The Government of the Republic of Slovenia reserves the right to request a consultation with the Security Council in terms of Article 50 of the Charter of the United Nations as soon as data on damage caused and actual difficulties in Slovene companies and the influence on the social and economic situation of Slovenia have been collected. In this context the Government of the Republic of Slovenia wishes to draw attention to the following:

1. In spite of all the restrictions on trade and business which Serbia and Montenegro have implemented in the last year, the value of the goods sold to Serbia and Montenegro by the Republic of Slovenia amounted to 417 mio USD in 1991, while the value of the goods purchased from that area amounted to 300 mio USD.

2. In the first months of 1992, trade with Serbia and Montenegro began to expand considerably in comparison with 1991.

3. Slovene companies are owed very large sums of money by companies from Serbia and Montenegro, which the Government of the Republic of Slovenia cannot cover and because of which many Slovene companies will go bankrupt. This will severely aggravate the problem of unemployment, which has already reached a level of 11.8 per cent because of reforms associated with the introduction of a market economy.

The Government of the Republic of Slovenia has also been informed by some Slovene firms that the supply of goods and services as well as payments traffic with Slovenia has been broken off by companies in third countries because of incorrect interpretations of the resolution on the part of foreign suppliers, banks and customs services (in the United Kingdom, Germany, France, Canada, Turkey, Colombia, Malta, United States of America and Australia). The basic problem which Slovene companies face abroad is that the distinction between Slovenia and the Federal Republic of Yugoslavia is still not recognized and a number of foreign partners treat Slovenia as part of Yugoslavia and claim that the resolution also applies to the Republic of Slovenia. Despite explanations which we have provided, such cases are still appearing in direct contacts with foreign companies.

III

The Government of the Republic of Slovenia finds that questions or uncertainties are appearing in the implementation of some of the provisions of the resolution. In order for the Republic of Slovenia to implement the provisions in the spirit of the resolution and in a way which is internationally agreed and uniform, it requests from the Committee established under resolution of the Security Council No. 724 (1991), the following clarifications:

- which goods and products are considered "exclusively for medical purposes and food products" which are exempt from the prohibition on export and transit to Serbia and Montenegro? (The Ministry for Foreign Affairs of the Republic of Slovenia addressed this question to the Office of the Secretary-General of the United Nations in a letter of 3 June 1992 but, since it has as yet received no reply, it has issued in cooperation with the Ministry of Health and Social Security of the Republic of Slovenia, an instruction that the following goods shall be considered "exclusively for medical purposes": "medicaments, auxiliary medical items and medical instruments and equipment");

- are business dealings also prohibited with legal entities with seats outside Serbia and Montenegro which are owned or controlled by persons/entities from Serbia and Montenegro?

- are business dealings also prohibited with transport (ships, trucks, railway wagons) belonging to Serbian or Montenegron entities/persons but which fly the flag or are leased to parties with seats outside Serbia and Montenegro and which are not carrying out transport of goods to or from Serbia and Montenegro? (The Republic of Slovenia has so far refused mooring to a ship of which the owner is from Montenegro, although the ship was leased by a shipper from a third state (not the Federal Republic of Yugoslavia) and was also sailing under the flag of a third State (not the Federal Republic of Yugoslavia).